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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/221,952 | 12/28/1998 | LISA HOLZHAUSER | PHA-23.403 | 3880 |

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EXAMINER

ENGLAND, DAVID E

ART UNIT

PAPER NUMBER

2156

DATE MAILED: 07/02/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/221,952

Applicant(s)

HOLZHAUSER ET AL.

Examiner

David E. England

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06/24/2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 December 1998 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

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DETAILED ACTION

Claims 1 – 20 are presented for examination.

Specification

1. 35 U.S.C. 112, first paragraph, requires the specification to be written in "full, clear, concise, and exact terms." The specification is replete with terms which are not clear, concise and exact. The specification should be revised carefully in order to comply with 35 U.S.C. 112, first paragraph. Examples of some unclear, inexact or verbose terms used in the specification are: shared relevance space, (page 7 line 9), and transportability, (page 22 line 1). It is also unclear throughout the application the meaning of these two terms, shared relevance space, transportability.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "302" and "312" have both been used to designate a display screen. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance. It is suggested that the applicant use one figure number to describe a display screen that is made of touch-sensitive material.
3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "301" and "310" have both been used to designate an exploiting resources. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "326A" and "326B" have both been used to designate the microphone. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 1 – 20 are rejected under 35 U.S.C. 102(e) as being anticipated by U. S. Patent No. 5822405 to Astarabadi.

7. Referencing claim 1, Astarabadi teaches an information apparatus, comprising:
acquisition resources, the acquisition resources providing for acquisition of information, (e.g. col. 5 line 65 – col. 6 line 34);

distribution resources, coupled to the acquisition resources so as to receive and distribute all or part of the acquired information, (e.g. col. 8 lines 17 – 41);

8. association resources, coupled to the acquisition and distribution resources, the association resources providing an association annotation to the distribution resources, whereby the distribution resources distribute responsive to the association annotation, (e.g. col. 5 line 65 – col. 6 line 34).

9. Referencing claim 2, Astarabadi teaches a processing resources coupled to one or more of the acquisition, association and distribution resources, (e.g. col. 5 line 65 – col. 6 line 34).

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10. Referencing claim 3, Astarabadi teaches the processing resources comprise at least one of conditioning facilities, analog-to-digital conversion facilities, buffering or other storage facilities, recognition facilities, encryption facilities, compression facilities, coding facilities, and composing facilities, (e.g. col. 3 lines 43 – 50).

11. Referencing claim 4, Astarabadi teaches the distribution resources selectively distribute information responsive to an association annotation, the annotation being based on the acquired information as processed by the processing resources, (e.g. col. 3 line 66 – col. 4 line 23).

12. Referencing claim 5, Astarabadi teaches an administration resources coupled to one or more of the acquisition, association and distribution resources, the administration resources comprising at least one of timer facilities, prompting facilities, and configuration facilities, (e.g. col. 3 lines 1 – 40).

13. Referencing claim 6, Astarabadi teaches the distribution resources selectively distribute information responsive to the association annotation, the association annotation being based on at least one of the information acquired by the acquisition resources or directives provided by the configuration facilities, (e.g. col. 3 line 1 – col. 4 line 23).

14. Referencing claim 7, Astarabadi teaches the configuration facilities providing support for a shared relevance space, the shared relevance space supporting coordination between the acquisition and distribution resources, (e.g. col. 12 lines 17 - 67).

15. Referencing claim 8, Astarabadi teaches the information apparatus is implemented as a PDA, the PDA's shared relevance space is defined around transportability, (e.g. col. 3 line 66 – col. 4 line 29, and col. 11 lines 40 - 51).

16. Referencing claim 9, Astarabadi teaches the PDA's shared relevance space is user-specifiable, (e.g. col. 3 line 66 – col. 4 line 29, and col. 11 lines 40 - 51).

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17. Referencing claim 10, Astarabadi teaches the configuration facilities support tracking of the user's use of the apparatus, such tracking being employable for updating of the configuration facilities, (e.g. col. 13 line 1 – 50).

18. Referencing claim 11, Astarabadi teaches the acquisition resources acquire information which information comprises at least one of associated information and directives, (e.g. col. 3 lines 1 – 40).

19. Referencing claim 12 Astarabadi teaches the acquisition resources comprise (a) at least one of transducing facilities and coupling facilities, (e.g. col. 3 lines 44 - 50), and (b) acquisition control facilities for activating selected said transducing and coupling facilities, (e.g. col. 3 lines 44 - 50).

20. Referencing claim 13 Astarabadi teaches the distribution resources comprise staging facilities, the staging facilities supporting indirect distribution of information, (e.g. col. 6 line 35 – col. 7 line 32).

21. Referencing claim 14 Astarabadi teaches one or more exploiting resources to which the distribution resources distribute all or part of at least one of the information and the association annotations, the exploiting resources comprising at least one of internal exploiting resources and external exploiting resources, (e.g. col. 15 line 58 – col. 16 line 15).

22. Referencing claim 15, Astarabadi teaches the association resources comprise at least one of directive management facilities, annotating facilities and association control facilities, (e.g. col. 3 lines 1 – 40).

23. Referencing claim 16, Astarabadi teaches (a) the directive management facilities support receipt and processing of directives acquired as information by the acquisition resources, (e.g. col. 3 lines 1 – 40), (b) the annotating facilities formulate annotations based on at least one of the received directives and of configurations, such configuration being predetermined, user-adjustable and combinations of same, (e.g. col. 3 lines 1 – 40), and (c) the association control facilities provide for activating the association resources, (e.g. col. 3 lines 1 – 40).

24. Referencing claim 17, Astarabadi teaches a control coordinating resources coupled to the acquisition resources and to the association resources, (e.g. col. 3 line 1 – 40).

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25. Referencing claim 18, Astarabadi teaches the control coordinating resources coordinate activations of the acquisition and association resources, (e.g. col. 3 line 1 – 40).

26. Referencing claim 19, Astarabadi teaches the control coordinating resources provide one or more of (a) accommodation of the application of directives other than from real-time, transducer-based acquisition, (b) operation independently of the sequence of acquisition of associated information and directives and (c) handling of use both of common and of differing transducing facilities, (e.g. col. 3 lines 40 – 50).

27. Referencing claim 20, Astarabadi teaches the control coordinating resources is implemented to recognize the completion of a primary information acquisition, so as to timely and automatically activate a secondary acquisition, such activation being direct or indirect, (e.g. col. 5 line 65 – col. 6 line 34).

Conclusion

28. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

29. a. Riedel et al. U.S. Patent No. 5870698 discloses a Multi-purpose machine metering/monitoring apparatus.

30. b. Parthasarathy U.S. Patent No. 5742705 discloses a Method and apparatus for character recognition of handwritten input.

31. c. Lopresti U.S. Patent No. 5757959 discloses a System and method for handwriting matching using edit distance computation in a systolic array processor.

32. d. Gloudeman et al. U.S. Patent No. 6119125 discloses Software components for a building automation system based on a standard object superclass.

33. e. Oprescu-Surcobe U.S. Patent No. 6356961 discloses a Method and apparatus for minimizing an amount of data communicated between devices and necessary to modify stored electronic documents.

34. f. Toshimoto et al. U.S. Patent No. 6144389 discloses an Intelligent terminal device having capability of displaying transmitted data.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. England whose telephone number is 703-305-5333. The examiner can normally be reached on Mon-Thru, 7:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alvin Oberley can be reached on 703-305-9761. The fax phone numbers for the organization where this application or proceeding is assigned are none for regular communications and none for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is none.

David E. England
Examiner
Art Unit 2156

de 
June 25, 2002



JOHN A. FOLLANSBEE
PRIMARY EXAMINER